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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/728,706

12/05/2003

Kang-Hyun Lee

OPP 031367 US

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06/01/2005

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EXAMINER

BEREZNY, NEMA O

ART UNIT

PAPER NUMBER

2813

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8m

Office Action Summary	Application No.	Applicant(s)	
	10/728,706	LEE, KANG-HYUN	
	Examiner	Art Unit	
	Nema O. Berezny	2813	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to Applicant's Amendment filed 3-11-05, which has been entered and considered. Claims 1-20 are currently pending.

Specification

The objection to specification, made in prior Office Action is hereby withdrawn, subsequent to corrections made by Applicant in Amendment filed 3-11-05.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 11-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narita et al. (6,383,942) in view of Hart et al. (2003/0034325), and further in view of Yu (6,764,957). Narita discloses a method for fabricating a metal line of a semiconductor device, comprising the steps of: forming an insulation layer on a semiconductor substrate on which devices or lower lines are formed (col.12 lines 26-27); forming a metal layer on the insulation layer (col.12 lines 26-42); forming a photoresist pattern having an opening of certain width on the metal layer (col.12 lines 48-53); and selectively removing the metal layer at a lower side of the opening by performing a dry etching process (col.12 lines 56-59). However, Narita does not

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disclose forming a buffer layer. Narita would look to one such as Hart for device protection because Hart discloses forming a buffer layer on the photoresist pattern, and inherently including said buffer layer in the openings (p.2 para.18,19; p.3 para.22). Hart also discloses wherein the buffer layer comprises an oxide film of PE family (p.2 para.20). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to use the buffer layer of Hart with the method of Narita to protect the device from mechanical damage (Hart - p.2 para.19). Narita and Hart are silent as to the dimension between adjacent metal lines versus the opening width. Yu discloses an opening in a photoresist layer (Fig.1C-1D el.104) with a material lining (el.108) in said opening, then etching occurs through the lining in the bottom of said opening and partly through the next layer down. As disclosed in Fig.1D, when etching occurs through the lining at the bottom of the opening while leaving the lining at the sides of the opening in tact, the new opening formed in the next layer down has a smaller width dimension than the photoresist opening **[claims 1, 3]**. It is also inherent that Yu discloses wherein said dimension between adjacent sides of a lower layer is less than said certain width of said opening by two times a thickness of said lower layer at a sidewall of said opening, as seen in Figs.1C-1D **[claim 18]**.

Based upon the rejection of claim 1 above, Narita and Hart are silent as to a ratio of photoresist thickness to the opening width. However, Narita and Hart would look to one such as Yu for material savings because Yu discloses wherein a ratio of said photoresist thickness to said certain width of said opening is less than about 3.5 (Fig.1B). Therefore, it would have been obvious to a person of ordinary skill in the art at

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the time of the invention to use the ratio of Yu with the method of Narita and Hart. Since photoresist is usually removed, a thinner photoresist would result in less material waste **[claim 20]**.

Based upon the rejection of claims 1 and 3 above, Narita also discloses further comprising a step of forming an organic anti-reflection coating between the metal layer and the photoresist pattern (col.12 lines 43-45) **[claim 2]**; wherein the dry etching process is performed by a plasma etching using Cl_2/BCl_3 gases (col.13 lines 1-16) **[claim 11]**; wherein the metal layer comprises a lower metal layer, an intermediate metal layer and an upper metal layer (col.12 lines 26-42) **[claim 12]**; wherein the lower metal layer comprises TiN/Ti (col.12 lines 29-33) **[claim 13]**; wherein the lower metal layer functions as a barrier layer (col.12 lines 29-33) **[claim 14]**; wherein the intermediate metal layer comprises Al-Cu alloy (col.12 lines 33-38) **[claim 15]**; wherein the upper metal layer comprises TiN/Ti (col.12 lines 38-42) **[claim 16]**; and wherein the upper metal layer functions as a capping layer (col.12 lines 38-42) **[claim 17]**.

Claims 4-10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narita et al. (6,383,942) in view of Hart et al. (2003/0034325), and further in view of Yu (6,764,957). Narita in view of Hart and Yu do not disclose a buffer layer thickness of 180 to 230 Angstroms, or a photoresist thickness of less than 9000 Ang. Note that the specification contains no disclosure of either the critical nature of the claimed dimensions or any unexpected results arising therefrom. Where patentability is said to be based upon particular chosen dimensions or upon another variable recited in a

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claim, the Applicant must show that the chosen dimensions are critical. In re Woodruff, 919 F.2d 1575, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990) [**claims 4, 19**].

Based upon the rejection of claim 4 above, Narita also discloses wherein the metal layer comprises a lower metal layer, an intermediate metal layer and an upper metal layer (col.12 lines 26-42) [**claim 5**]; wherein the lower metal layer comprises TiN/Ti (col.12 lines 29-33) [**claim 6**]; wherein the lower metal layer functions as a barrier layer (col.12 lines 29-33) [**claim 7**]; wherein the intermediate metal layer comprises Al-Cu alloy (col.12 lines 33-38) [**claim 8**]; wherein the upper metal layer comprises TiN/Ti (col.12 lines 38-42) [**claim 9**]; and wherein the upper metal layer functions as a capping layer (col.12 lines 38-42) [**claim 10**].

Response to Arguments

Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nema O. Berezny whose telephone number is (571) 272-1686. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on (571) 272-1702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NB


CARL WHITEHEAD, JR.
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